

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

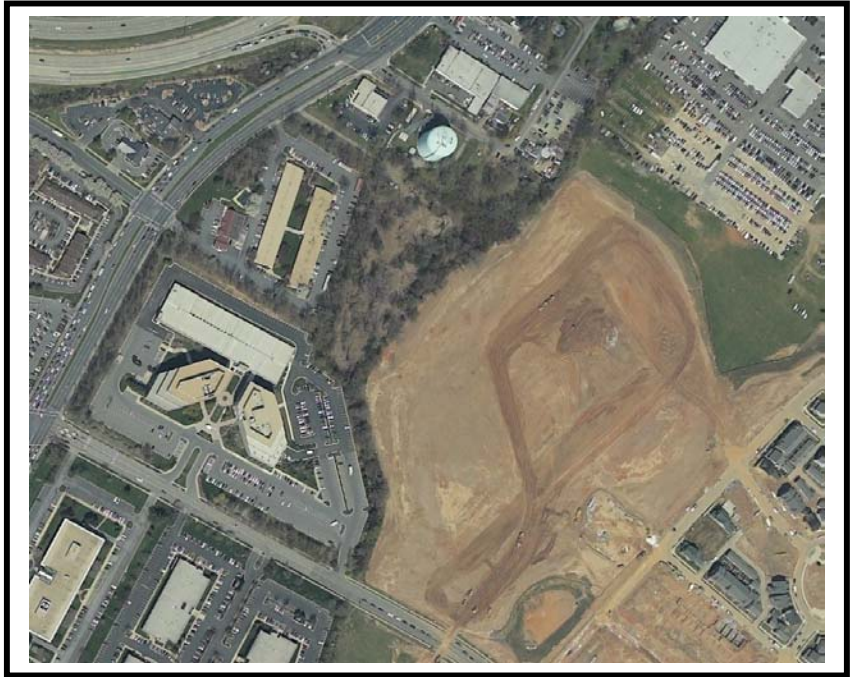
SUBJECT: Detailed Application
CPD2002-002AG for
Comprehensive
Planned Development
CPD1995-0002, King
Farm

Applicant: King Farm Associates,
LLC
8330 Boone Blvd.
Vienna, VA 22182

Owner: King Farm Associates,
LLC

Date Filed: January 12, 2004

Location: Park/middle school
site, within Phase II
development known as Baileys Commons.



REQUEST:

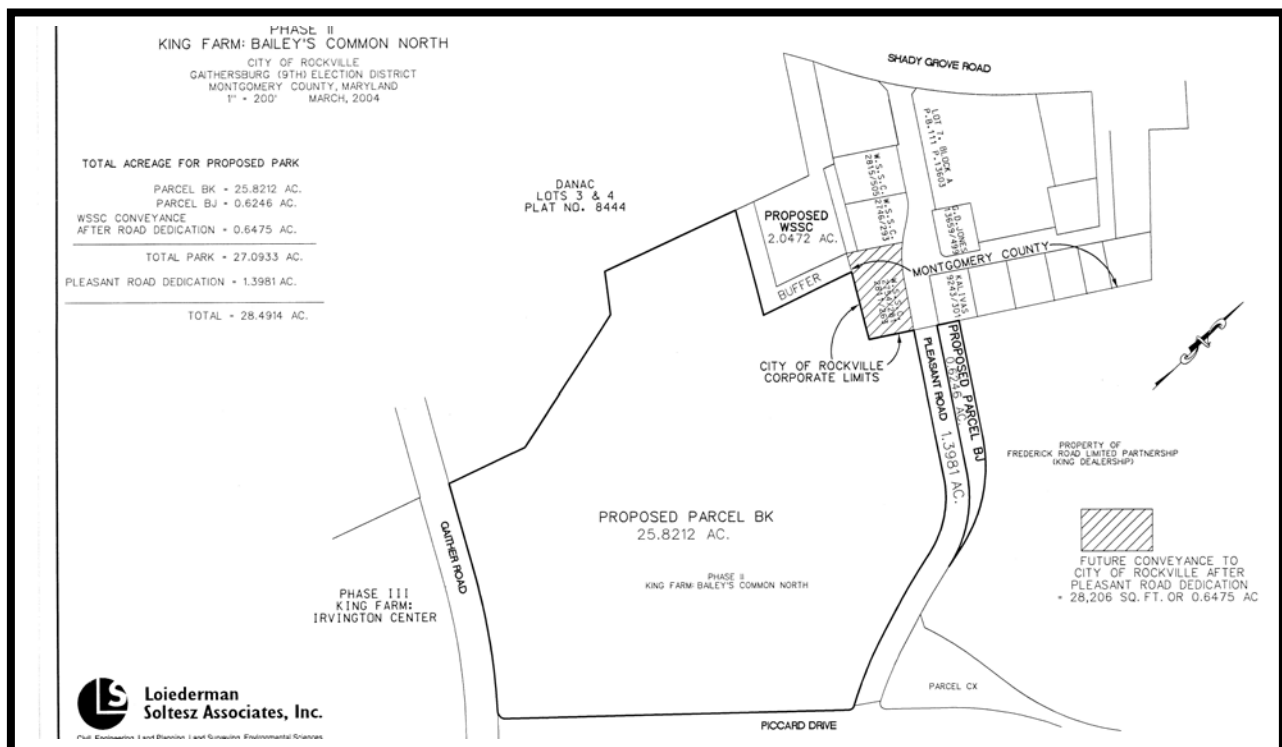
The applicant seeks detailed (final) approval for approximately 30 acres of open space within the Bailey's Commons development area of King Farm to accommodate the park/middle school site as required by the Concept Plan. The area is generally referred to as Phase II. Application also includes the area for future Pleasant Drive extension.

PREVIOUS RELATED ACTIONS:

- CPD95-0002, Concept Plan Application for Comprehensive Planned Development approved by Mayor and Council, July 8, 1996.
- CPD96-002A through CPD2000-002AF, Detailed Plan Applications for Comprehensive Planned Development for Phase I, II and III of the King Farm development. The Planning Commission approved all of the applications.

RELEVANT ISSUES

In reviewing the application, the following issues emerged and have been addressed:



Drive extended that will be used as a reforestation area.

All property associated with this application is to be deeded to the City, as per the Resolution of Approval and the approved Forest Conservation Plan for King Farm. There are no park facilities associated with this application at this time, but the City has begun design work on the facilities. The park site will accommodate a future Middle School site if MCPS determines a need exists in the Gaithersburg cluster. At present, there are no plans to construct a middle school

It should be noted that a portion of this application is also subject to a land swap that will occur with WSSC. The result of this land swap is that the City will be giving WSSC approximately two acres of land, with the City receiving approximately one acre (approximately .4 acres for road right of way and .6 acres of parkland). The land swap is a product of meetings with WSSC and DPW staff to coordinate development in the area. WSSC plans construction of a new water tank in the area, and the land swap will help to accommodate this use in a way that is as unobtrusive as possible for future residents of Phase IIB, as well as users of the future park facilities. This swap also gives the City a more efficient and cost effective way to connect Pleasant Drive to Shady Grove Road, avoiding the need for acquiring land from private entities. In addition, WSSC is placing a ½ acre buffer around the tank site to further mitigate aesthetic concerns of the tank placement.

As a result of this land swap, approximately .65 acres of City parkland will be in Montgomery County, and WSSC will have facilities within the City of Rockville. This is not problematic, given that different jurisdictions frequently do own land outside of their jurisdiction. The use of this land will not change; it will remain park in perpetuity. A plat will have to be filed in Montgomery County for the portion of the application that is in the County, in addition to the required City plat.

It should also be noted that Pleasant Drive currently exists in the County as Pleasant Road. Montgomery County has agreed to facilitate a name change to Pleasant Drive for the entire length of the road for consistency.

STAFF RECOMMENDATION

Approval is recommended, subject to the following conditions:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A.
2. Submission, for approval by the Department of Public Works (DPW), of any necessary detailed plans, studies or computations.
3. Submission for the approval of the Environmental Specialist and the City Forester, of a planting plan, as necessary, for portions of the open space associated with this application. All required trees shall be planted prior to deeding of applicable land to Rockville. This is applicable only to parkland and does not include the portion of the application related to Pleasant Drive.

4. The Applicant shall provide a map, for verification by the City, showing that the amount of open space approved to date, or in the future, is commensurate with approved Concept Plan totals.
5. The plats for these parcels shall be recorded in the Land Records of Montgomery County prior to issuance of a permit for Pleasant Drive.
6. Complete land swap with WSSC.
7. Property obtained by City in land swap must be transferred to City by deed or plat. (Since property is in County, the County would review and approve the plat. Right-of-way for Pleasant Drive on this property must be dedicated to public use.)
8. Post bonds and obtain permits for construction of Pleasant Drive.
9. Submit detailed engineering plans and computations for review and approval by DPW for Pleasant Drive including sediment control, storm drain and paving, stormwater management, street tree and lighting, and signing and marking.
10. Applicant shall provide stormwater management pretreatment for Pleasant Drive. The facility shall be designed and constructed to accommodate the additional impervious area from the park site that drains to the facility. Location of any SWM facilities shall be per City direction.
11. Obtain permits from MCDOT for reconstruction of Pleasant Drive between Shady Grove Road and the King Farm property.
12. Construct water and sewer connections to serve the park property and future school site as directed by the City and/or WSSC.
13. Applicant shall formally abandon and safely secure the well on property to be obtained by the City in the land swap prior to deeding parkland to the City.
14. A geo-technical engineer's log and test results shall be provided to the City showing that the entire site was properly compacted. Applicant shall provide info on location and depth of buried rock and other debris.
15. Applicant shall furnish an earthwork study based on the terraced grading and filling along the tree line on the site.
16. Applicant shall provide an as-built plan of the site, including topographical information, when grading is complete either from aerial or field survey. After grading, the site must be seeded with a grass seed approved by the City.
17. 12,500 cubic yards of topsoil will be stockpiled for the site. Applicant will provide an estimate to screen the topsoil and show location of stockpile on Signature Set of drawings.
18. Exotic invasive species must be eradicated from the entire site.

19. Applicant shall clean the site per Recreation and Parks standards.
20. Street trees shall be changed per City Forester specification.
21. Applicant shall use City of Rockville approved planting details.

TRANSPORTATION

Parking, Pedestrian Access, Bicycle Paths and Transit

There will be sidewalks adjacent to all road frontages associated with this application. Additional pedestrian amenities will be part of the park design.

STORMWATER MANAGEMENT

A Stormwater Management Concept Plan will be required by the Department of Public Works to accommodate drainage from the road and future impervious areas created on the park site. A portion of the park's drainage and drainage for Pleasant Drive will be accommodated in a quality control structure (either infiltration trench or other device) on the northeastern area of the site, near the intersection of Piccard and Pleasant. The applicant is working with staff to relocate the SWM facility to an open space parcel directly opposite the park site that was approved as part of Phase II B (CPD2001-0002Y). Quality control is being provided at the existing Gaither pond.

LANDSCAPING

Forest/Tree Preservation

There are areas associated with this application that are to be reforested as part of the approved Forest Conservation Plan. A planting plan is to be presented as per Condition 3 above.

Equipment Screening

All electrical transformers are required by the City of Rockville to be placed underground. Any equipment that the Applicant proposes to place above ground must be approved in accordance with the submission and approval of a waiver of the city's underground utility requirements. This waiver must be approved by the City of Rockville Planning Commission.

ART IN PRIVATE DEVELOPMENT

This application does not propose construction of buildings, and does not require the provision of public art.

STAFF COMMENTS

This application is consistent with the approved Concept Plan, and staff recommends approval subject to the conditions listed earlier.

NOTIFICATION

Notices were sent to approximately 1,500 residences and businesses.

APPROVAL LIMITATIONS

Section 25-193(d) of the Zoning Ordinance requires that **construction or operation must commence within two (2) years of the date of this decision or application approval shall expire.** If the applicant can show just cause, a maximum of two (2) time extensions may be granted by the Planning Commission, each not to exceed one year. However, time extensions are not automatically approved, and sufficient detail and justification will be required in order for the Planning Commission to consider granting an extension.

CONCLUSION

It is Staff's opinion that this application is consistent with the approved Concept Plan approved by the Mayor and Council for this area of King Farm. As a result, staff recommends approval of Detailed Application CPD2004-002AG.

Attachments